IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Regular Second Appeal No.3013 of 2007

Date of Decision: September 18, 2007

State of Haryana .....Appellant

Versus

Satish Kumar Mittal and another .....Respondents

CORAM:- HON'BLE MR.JUSTICE S. D. ANAND

Present: Mr.Sidharth Batra, Assistant Advocate General, Haryana.

S. D. ANAND, J.

In a concurrence of views, the learned Trial Court and also the learned First Appellate Court recorded a finding that the correction of date of birth of the plaintiff-respondent was in order.

The plea for correction of date of birth was raised by the plaintiff-respondent on the basis of a certification of date of birth issued by the Office of the Civil Surgeon concerned. No plea was raised at the trial to the effect that the aforesaid certification is factually incorrect. The plaintiff-respondent is not even averred to have drawn any advantage of the initially indicated date of birth for gaining entry into the public service. Further, the plaintiff-respondent has also not to retire in near future. The margin of time gained by the plaintiff-respondent by decretal of the suit is only to the extent of eight months. Both the Courts have recorded elaborate, rule-related reasoning in support of the finding of decretal. I have not been persuaded to find any fault in the light of reasoning recorded by both the

Courts. No question of law, much less substantial in character, arises for determination in this case by this Court.

Dismissed.

(S. D. ANAND)
JUDGE

September 18, 2007
SRM

Note: Whether referred to reporter or not? Yes/No